

### **DETAILED ACTION**

1. Applicant has amended claim 43 and canceled claims 1-19.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sarah Hill on 4/22/2009.

The application has been amended as follows:

3. **Claim 1 has been changed at line 9 as follows:**

**From:**

"plurality of tapered grooves axially aligned with a vertical axis of said stack and"

**To:**

"plurality of tapered grooves axially aligned with a ~~vertical~~ longitudinal axis of said stack and"

***Allowable Subject Matter***

4. Claims 43-52 are allowed.

5. The following is an examiner's statement of reasons for allowance: The closest prior art fails to teach, in combination with all the limitations of claim 43, a plurality of tapered grooves defined between said tapered edges of said pellets in combination with a pyrotechnic flare pellet.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin P. Lee whose telephone number is 571-272-8968. The examiner can normally be reached between the hours of 8:30am and 5:00pm on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone can be reached on 571-272-6873. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/B. P. L./

Examiner, Art Unit 3641

/Michael J. Carone/

Supervisory Patent Examiner, Art Unit 3641